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APR 02 2007

REPORT ON THE
FILING OR DETERMINATION OF AN
ACTION REGARDING A PATENT OR
TRADEMARK

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District California on the ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 07-01667 MHP	DATE FILED 3/26/07	U.S. DISTRICT COURT 450 Golden Gate Avenue, 16 th Floor, S.F. CA 94102
PLAINTIFF SEMICONDUCTOR ENERGY LABORATORY CO.		DEFENDANT CHI MEI OPTOELECTRONICS CORP., ET AL
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,784,033		*PLEASE SEE ATTACH COMPLAINT*
2 6,900,463		
3 6,940,094		
4 7,173,281		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wicking	(BY) DEPUTY CLERK Gina Agustine-Rivas	DATE March 26, 2007
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Dated: March 22, 2007

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By:

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16 IN THE UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SEMICONDUCTOR ENERGY
LABORATORY CO., LTD.,

19 Plaintiff,

20 vs.

21 CHI MEI OPTOELECTRONICS CORP., CHI
22 MEI OPTOELECTRONICS USA, INC.,
23 FUNAI ELECTRIC CO., LTD., FUNAI
CORP., INC., SOYO GROUP, INC., AND
24 WAL-MART STORES, INC.,

25 Defendants.

C 07 1667
CASE NO.

COMPLAINT FOR PATENT
INFRINGEMENT, DEMAND FOR JURY
TRIAL

I hereby certify that the annexed
instrument is a true and correct copy
of the original on file in my office.

ATTEST

RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of California

By *Amc Agnetrie*
MAR 30 2007 Deputy Clerk

Date

ORIGINAL
FILED

MAR 22 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MHP

1667

1 Plaintiff, Semiconductor Energy Laboratory Co., Ltd., by its attorneys, complains
2 against Chi Mei Optoelectronics Corp., Chi Mei Optoelectronics USA, Inc., Funai Electric Co., Ltd.,
3 Funai Corp., Inc., Soyo Group, Inc., and Wal-Mart Stores, Inc. as follows:

4 **PARTIES**

5 1. Plaintiff Semiconductor Energy Laboratory Co., Ltd. ("SEL") is a corporation
6 organized under the laws of Japan with its principal place of business at 398 Hase, Atsugi-shi,
7 Kanagawa-ken 243-0036, Japan.

8 2. Defendant Chi Mei Optoelectronics Corp. ("CMO") is a corporation organized
9 under the laws of Taiwan, with its principal place of business at No. 1, Chi-Yeh Road, Tainan
10 County, Tainan Science Based Industrial Park, Taiwan 74147, R.O.C. CMO manufactures electronic
11 products in Taiwan, and, directly or indirectly imports, sells, and/or offers for sale its products to the
12 United States, including California. In addition, CMO provides these products to third parties
13 through an established distribution channel knowing that these third parties will import, sell, offer for
14 sale, and/or use these products in California and elsewhere in the United States using their
15 nationwide contacts and distribution channels.

16 3. Defendant Chi Mei Optoelectronics USA, Inc. ("CMO USA") is a corporation
17 organized under the laws of Delaware, with its principal place of business at 101 Metro Drive, Suite
18 510, San Jose, California 95110. CMO USA is a domestic subsidiary of CMO that either directly or
19 indirectly imports, sells, and/or offers for sale its products in California and elsewhere in the United
20 States.

21 4. Defendant Funai Electric Co., Ltd. ("Funai") is a corporation organized under
22 the laws of Japan, with its principal place of business at 7-7-1 Nakagaito, Daito City, Osaka, 574-
23 0013, Japan. Funai manufactures electronic products in Asia and, directly or indirectly imports, sells,
24 and/or offers for sale its products in California and elsewhere in the United States.

25 5. Defendant Funai Corporation Inc. ("Funai USA") is a corporation organized
26 under the laws of New Jersey, with its principal place of business at 201 Route 17 North, Suite 903
27 Rutherford, NJ, 07070. Funai USA also has offices at 19900 Van Ness Ave., Torrance, CA 90501.
28

1 Funai USA is a domestic subsidiary of Funai that either directly or indirectly imports, sells, and/or
2 offers for sale its products in California and elsewhere in the United States.

3 6. Defendant Soyo Group, Inc. ("Soyo") is a corporation organized under the
4 laws of California, with its principal place of business at 1420 South Vintage Ave., Ontario, CA,
5 91761-3646. Soyo purchases electronic products made in Asia, and, directly or indirectly imports,
6 sells, and/or offers for sale its products in California and elsewhere in the United States.

7 7. Defendant Wal-Mart Stores, Inc. ("Wal-Mart") is a corporation organized
8 under the laws of Delaware, with its principal place of business at 702 SW 8th St., Bentonville, AR,
9 72716-0555. Wal-Mart purchases electronic products made in Asia, and, directly or indirectly
10 imports, sells, and/or offers for sale its products in California and elsewhere in the United States.

11 JURISDICTION AND VENUE

12 8. This is an action arising under the patent laws of the United States, 35 U.S.C. §
13 101 et seq. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

14 9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and (d)
15 and 1400(b) because CMO USA, Funai USA, Soyo, and Wal-Mart are authorized to do business, are
16 doing business and/or have a regular and established place of business in this District, and have
17 committed acts of infringement in this District; because each of CMO, CMO USA, Funai, Funai
18 USA, Soyo, and Wal-Mart are subject to personal jurisdiction of this Court; and because CMO and
19 Funai are aliens.

20 INTRADISTRICT ASSIGNMENT

21 10. This action is an Intellectual Property Action within the meaning of Civil
22 Local Rule 3-2(c), and hence, the action is to be assigned on a district-wide basis.

23 THE PATENTS-IN-SUIT

24 11. United States Patent No. 6,784,033 ("the '033 patent"), entitled Method For
25 The Manufacture Of An Insulated Gate Field Effect Semiconductor Device, was duly and legally
26 issued by the United States Patent and Trademark Office on August 31, 2004. A true and correct
27 copy of the '033 patent is attached hereto as Exhibit 1 and is incorporated herein by this reference.
28

1 12. United States Patent No. 6,900,463 ("the '463 patent"), entitled Semiconductor
2 Device, was duly and legally issued by the United States Patent and Trademark Office on May 31,
3 2005. A true and correct copy of the '463 patent is attached hereto as Exhibit 2 and is incorporated
4 herein by this reference.

5 13. United States Patent No. 6,940,094 ("the '094 patent"), entitled Electronic
6 Device And Method For Manufacturing The Same, was duly and legally issued by the United States
7 Patent and Trademark Office on September 6, 2005. A true and correct copy of the '094 patent is
8 attached hereto as Exhibit 3 and is incorporated herein by this reference.

9 14. United States Patent No. 7,173,281 ("the '281 patent"), entitled Semiconductor
10 Device And Method Of Fabricating The Same, was duly and legally issued by the United States
11 Patent and Trademark Office on February 6, 2007. A true and correct copy of the '281 patent is
12 attached hereto as Exhibit 4 and is incorporated herein by this reference.

13 15. SEL is the owner of all right, title and interest in and to the '033, '463, '094,
14 and '281 patents ("the SEL patents") and is entitled to sue for past and future infringement.

15 **BACKGROUND**

16 16. The SEL patents cover inventions relating to thin film transistors ("TFTs"),
17 electro-optical devices, and semiconductor devices. TFTs and TFT panels are used in electro-optical
18 devices such as liquid crystal displays ("LCDs"), which are widely used in a variety of electronic
19 video display products including flat panel displays, notebook computer monitors, and flat panel
20 televisions (collectively "LCD-type products").

21 17. On information and belief, CMO has manufactured, imported into, offered for
22 sale and sold, either directly or indirectly, TFTs, TFT panels, LCDs, and LCD-type products
23 incorporating LCDs ("the CMO Products") and continues to manufacture, import, offer for sale, and
24 sell the CMO Products into the United States, including California, directly and through established
25 distribution channels involving various third parties, knowing that these third parties will use their
26 respective nationwide contacts and distribution channels to import, sell, offer for sale, and/or use
27 these products in California and elsewhere in the United States. These distribution channels include
28

1 at least CMO USA, Funai, Funai USA, Soyo, and Wal-Mart. CMO intends for the CMO Products to
2 enter the United States. The CMO Products infringe the SEL patents.

3 18. CMO USA has imported and sold, and continues to import and sell, into the
4 United States the CMO Products that infringe the SEL patents. In addition, CMO USA has supplied
5 to third parties, and continues to supply to third parties the CMO Products knowing that the CMO
6 Products will be sold, offered for sale, and/or used in California and elsewhere in the United States.

7 19. Funai and Funai USA have together incorporated the CMO Products
8 manufactured by CMO into their own LCD-type products under various brand names, and imported
9 and sold, and continue to import and sell in California and elsewhere in the United States its LCD-
10 type products incorporating the CMO Products that infringe the SEL patents. In addition, Funai and
11 Funai USA have manufactured and supplied to third parties, and continue to manufacture and supply
12 to third parties, including at least Wal-Mart, LCD-type products incorporating the CMO Products
13 knowing that such LCD-type products will be sold, offered for sale, and/or used in California and
14 elsewhere in the United States.

15 20. Soyo has imported and sold, and continues to import and sell, into the United
16 States its own LCD-type products that incorporate the CMO Products that infringe the SEL patents.

17 21. Wal-Mart has imported and sold, and continues to import and sell, into the
18 United States LCD-type products that incorporate the CMO Products that infringe the SEL patents.

19 22. Funai and Wal-Mart had notice in accordance with 35 U.S.C. § 287 as to the
20 '033 and '463 patents. The filing of this Complaint constitutes notice to all the defendants in
21 accordance with 35 U.S.C. § 287 as to the SEL patents.

22 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,784,033**

23 23. SEL repeats and realleges the allegations in paragraphs 1-22, inclusive.

24 24. CMO, CMO USA, Funai, Funai USA, Soyo, and Wal-Mart ("Defendants")
25 have infringed, and/or induced infringement of, and are continuing to infringe, and/or induce
26 infringement of the '033 patent by making, using, offering for sale, selling, and/or importing into the
27 United States the CMO Products and LCD-type products incorporating the CMO Products that are
28 made with and/or incorporate the inventions claimed in the '033 patent.

1 25. Defendants' infringement of the '033 patent is willful. Defendants' continued
2 infringement of the '033 patent has damaged and will continue to damage SEL.

3 26. Defendants' infringement of the '033 patent has caused and will continue to
4 cause SEL irreparable harm unless enjoined by the Court. SEL has no adequate remedy at law.

5 **COUNT II – INFRINGEMENT OF U.S. PATENT NO. 6,900,463**

6 27. SEL repeats and realleges the allegations in paragraphs 1-22, inclusive.

7 28. Defendants have infringed, and/or induced infringement of, and are continuing
8 to infringe, and/or induce infringement of, the '463 patent with respect to the CMO Products and
9 LCD-type products incorporating the CMO Products.

10 29. Defendants' infringement of the '463 patent is willful. Defendants' continued
11 infringement of the '463 patent has damaged and will continue to damage SEL.

12 30. Defendants' infringement of the '463 patent has caused and will continue to
13 cause SEL irreparable harm unless enjoined by the Court. SEL has no adequate remedy at law.

14 **COUNT III – INFRINGEMENT OF U.S. PATENT NO. 6,940,094**

15 31. SEL repeats and realleges the allegations in paragraphs 1-22, inclusive.

16 32. Defendants have infringed, and/or induced infringement of, and are continuing
17 to infringe, and/or induce infringement of the '094 patent with respect to the CMO Products and
18 LCD-type products incorporating the CMO Products.

19 33. Defendants' infringement of the '094 patent is willful. Defendants' continued
20 infringement of the '094 patent has damaged and will continue to damage SEL.

21 34. Defendants' infringement of the '094 patent has caused and will continue to
22 cause SEL irreparable harm unless enjoined by the Court. SEL has no adequate remedy at law.

23 **COUNT IV – INFRINGEMENT OF U.S. PATENT NO. 7,173,281**

24 35. SEL repeats and realleges the allegations in paragraphs 1-22, inclusive.

25 36. Defendants have infringed, and/or induced infringement of, and are continuing
26 to infringe, and/or induce infringement of the '281 patent with respect to the CMO Products and
27 LCD-type products incorporating the CMO Products.

1 37. Defendants' infringement of the '281 patent is willful. Defendants' continued
2 infringement of the '281 patent has damaged and will continue to damage SEL.

3 38. Defendants' infringement of the '281 patent has caused and will continue to
4 cause SEL irreparable harm unless enjoined by the Court. SEL has no adequate remedy at law.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Semiconductor Energy Laboratory Co., Ltd. respectfully requests that
7 this Court enter judgment in favor of Semiconductor Energy Laboratory Co., Ltd. and against
8 Defendants and grant the following relief:


- 9 A. Adjudge that Defendants are infringing and/or inducing infringement of the
10 SEL patents;
- 11 B. Adjudge that Defendants' infringement of the SEL patents was willful, and
12 that Defendants' continued infringement of the SEL patents is willful;
- 13 C. Enter an order preliminary and permanently enjoining Defendants, their
14 officers, directors, agents, servants, employees, and all other persons in privity
15 or acting in concert with them who receive actual notice of the order by
16 personal service or otherwise, from any further acts of infringement of the SEL
17 patents;
- 18 D. Grant SEL damages in an amount adequate to compensate SEL for
19 Defendants' infringement of the SEL patents, but in no event less than a
20 reasonable royalty under 35 U.S.C. § 284;
- 21 E. Enter an order trebling any and all damages awarded to SEL by reason of
22 Defendants' willful infringement of the SEL patents, pursuant to 35 U.S.C. §
23 284;
- 24 F. Enter an order awarding SEL interest on damages awarded and its costs
25 pursuant to 35 U.S.C. § 284;
- 26 G. Enter an order finding that this is an exceptional case and awarding SEL its
27 reasonable attorney's fees pursuant to 35 U.S.C. § 285; and
28

1 H. Award SEL such other relief as the Court may deem appropriate and just under
2 the circumstances.

3 Dated: March 22, 2007

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9 By: 
10 Attorneys for Plaintiff Semiconductor
11 Energy Laboratory Co., Ltd.